



POLICE DEPARTMENT

275 Forest Avenue
Palo Alto, CA 94301
650.329.2406

June 20, 2019

VIA CPA Web Portal

Mr. Brandon Smith

71025-43801527@requests.muckrock.com

RE: California Public Records Act Request Dated April 1, 2019 – REF/W001705-040119

Dear Mr. Smith,

This letter is in response to your California Public Records Act Request dated April 1, 2019, in which you request certain records maintained by the City of Palo Alto relating to Racist Remarks in Police Computers in the City of Palo Alto, pursuant to the California Public Records Act, Cal. Gov't Code §§ 6250 et seq.

Records Request 1 - 3:

"1. Documents that show what kind of a database your agency's email is stored in (such as Microsoft Access; Oracle; Microsoft Sharepoint; SQL; or Microsoft Exchange).

2a. Documents sufficient to show any FOIA management software or email search software (not including the client one uses to read and reply to email) in use by your agency. These documents could include purchase orders, contracts for use of a service, or—if and only if neither of those are available—some departmental communication portraying the name of the system.

2b. Any vendor-provided manuals or instructions or software documentation for software used by the agency to search emails

2c. Complete copies of any rules, guidelines, instructions, or best practices in use by your agency for searching emails and texts in response to FOIA requests

3. Documents that show all of, and represent the entirety of each of, your agency's contracts with cell/mobile service providers (sometimes called carriers). Also we request any documents that describe a deletion schedule for text messages sent to/from the devices on your agency's provider contract. For this purpose, "deletion schedule" means a number of days before messages are regularly deleted from the carrier's data repositories. Such a schedule would also specify whether that date is a rolling daily deletion after that many days, or rather periodical, where the number of days represents the period."

Response to Request 1 – 3:

These records are being gathered by the City of Palo Alto IT Department and will be provided as soon as they become available.

Records Request 4a:

“Keyword searches of all SMS ("text") records sent to and received by all sworn officers on agency-issued mobile devices.”

Response to Request 4a:

Verizon only keeps text messages for 10 days. The City has no responsive documents.

Records Request 4b:

“Keyword searches of all emails sent to and received by sworn officers on agency email accounts. - For the keywords on 4a and 4b, please refer to the list at the bottom of this request. Date range is four months prior to the date of the request until the date of the request. Please provide the requesters evidence that your search was agnostic toward capital and lowercase letters throughout each searched character string.”

*“- For each returned *email or SMS* result, please include the following metadata: unique sender identification; unique recipient identification; date and time of transmission; and document(s) sufficient to show the full name of the officer associated with the unique identifier. (An example of unique sender/recipient identification would be an email address or a phone number, depending on the type of record.)”*

“Search terms list:

*nigger
spic
coon
monkey
white power
white genocide
1488
14/88
14 words
fourteen words
mud people
boot party
Curb job
hammerskin
hammer skin
Vinlanders
Blood & Honour
Blood & Honor*

Blood and honor
Gab
mein
heil
Reich
Muslim problem
White genocide
White civil rights
Knights
Filthy jew
Aryan
Confederate flag
Dixie
Diversity is a code word
Globalist
fashy
Chimp out
Chimpout
Goy
Kek
shekels
Kike
TRS
Shills
Identitarian
Stormfront
Daily Stormer
Identity Evropa
Identity Europa
Cultural marxist
Anti-white
White identity
Jewish Question
JQ
ZOG
Klansman
White pride
WPWW
Rahowa
Ghost skin"

Response to Request 4b:

The list of keywords provided at the end of this letter were used by the City of Palo Alto IT Department of all officer emails from the time specified in your requests. The topics of the emails or news feeds results are provided to show transparency that we received hits on certain key words, but that they were not used in a derogatory manner:

Knights – as in Las Vegas Knights NHL Hockey team:

Subject: Sharks v. Knights
Location: SAP Center - 525 W Santa Clara St, San Jose, CA 95113-1520, United States
Start: Tue 04/09/19 7:30 PM
End: Tue 04/09/19 10:30 PM

Stanford Football Information: Knights – as in College Football game against University of Central Florida Knights:

Subject: Stanford Cardinal vs UCF Knights | NCAA Football
Location: Spectrum Stadium (Florida, Orlando)
Start: Sat 09/14/19 9:00 AM
End: Sat 09/14/19 11:00 AM

Below is a listing of news feeds with some of the keywords provided to search:

Reich – as in Robert Reich;


Dixie as in an article about the County Music Group the Dixie Chicks;

Monkey used in News feeds

News article on “blackface imagery” from Prada.

	MSN Outlook, Offic...	Bay Area political events: Segregation, Robert Reich	Tue 2/5/201...	9 KB
	MSN Outlook, Offic...	Cardinals jokingly take some credit for Patriots' Su...	Mon 2/4/20...	7 KB
	MSN Outlook, Offic...	Dixie Chicks Natalie Maines' estranged actor-husb...	Wed 1/30/2...	10 KB
	MSN Outlook, Offic...	Dixie Chicks Natalie Maines' estranged actor-husb...	Wed 1/30/2...	10 KB
	MSN Outlook, Offic...	Adorable baby monkey defends food against bully	Tue 1/29/20...	8 KB
	MSN Outlook, Offic...	Victory! Determined ferret outsmarts big dog in ga...	Mon 1/28/2...	7 KB
	MSN Outlook, Offic...	S.C. restaurant owner to sell over unwanted Conf...	Mon 1/28/2...	7 KB
	MSN Outlook, Offic...	Taj Mahal Guards Take Up Slingshots Against Mon...	Sat 1/26/20...	7 KB
	MSN Outlook, Offic...	A Bruised Trump Faces Uncertain 2020 Prospects	Sat 1/26/20...	8 KB
	MSN Outlook, Offic...	Preds' Subban claims Golden Knights' Bellemare b...	Thu 1/24/2...	7 KB
	MSN Outlook, Offic...	'Big monkey with a big personality:' Phoenix Zoo's...	Fri 1/18/20...	7 KB
	MSN Outlook, Offic...	Monkeys display acrobatic feat in impressive tightr...	Mon 1/14/2...	7 KB
	MSN Outlook, Offic...	How to Make Monkey Bread	Tue 12/18/2...	7 KB
	MSN Outlook, Offic...	Prada Accused of Using 'Blackface Imagery'—Pulls ...	Fri 12/14/2...	8 KB

Copy of Invoice from a company called, “Mill Spec Monkey” for SWAT Hoodies emailed to one of the SWAT members in charge of ordering gear. (please see next page)



MSM

Mil-Spec Monkey
1729 Little Orchard Street Suite D
San Jose, CA 95125

Bill To:
Brian Phillip
Palo Alto SWAT
275 Forest Ave
Palo Alto, CA 94301

INVOICE

Custom Silk Screening


Date: Mar 27, 2019

Payment Terms: COD

Due Date: Mar 27, 2019

Balance Due: \$0.00

Item	Quantity	Rate	Amount
Hoodie Pullover: Black	33	\$10.00	\$330.00
Zip Up Hoodie: Black	12	\$22.00	\$264.00
Setup/Print Charges	1	\$180.00	\$180.00
Subtotal:			\$774.00
Total:			\$774.00
Amount Paid:			\$774.00



Subtotal: \$774.00

Total: \$774.00

Amount Paid: \$774.00

Email Message from SmartSocial.com as part of an education about risky apps sent to the Social Media Captain:



Hello ,

Josh here from SmartSocial.com.



[The Monkey App](#) is a popular video chat app that encourages students to have 15 second video chats with strangers. This app is listed in the SmartSocial.com '[Red Zone](#)' which means we highly recommend deleting the Monkey app if your child has it.

Officer received an email about a submitting a response via Survey Monkey: 2/24/2019:

Greetings All,

Please start gather information to complete the attached survey. The attached survey is a WORKSHEET ONLY!....We during the week of CAI via an online service - **Survey Monkey.**

Officer received an email requesting a response via Survey Monkey: 2/22/3019

Hi Ladies,

How would you like me to compile the theme ideas? I could either list them in a word or excel document or I could put them into a survey monkey so you can identify your top 3 favorites or similar via vote.

There were no other hits on any of the keywords provided. The search was case non-sensitive.

Records Request 5a:

"Documents that show what, if any, text-based messaging clients or platforms (you might call them software-based "systems" for messaging, or "instant messaging") are available for use on computers in your patrol cars. Also we request documents that show what public body maintains or is responsible for each of those clients/platforms. For instance, sometimes a messaging system is maintained and offered by a state agency like highway patrol; other systems are built or contracted-for locally, by your jurisdiction itself. We request the above-described documents on any and all messaging systems deployed on a computer in a police vehicle in your jurisdiction."

"If your jurisdiction maintains/provides its own software on in-car computers for "instant messaging"—and therefore is the keeper of records associated with the system, including historic message logs—I request:"

Response to Request 5a:

ICAD_9.4_Product_Sheet - Please see attached.

NOTE: The City has ICAD version 9.2.6 installed. Documentation regarding 9.2.6 was not found. The product sheet for 9.4 is attached as it is the current version of the ICAD software and was available on Hexagon's site.

Hexagon's Mobile for Public Safety (MPS) is utilized in the patrol vehicles. The Officers use the in-application messaging system to communicate with Dispatch and fellow officers. The only reference found relating to CAD-to-MPS messaging was found on page 2 of the document in the Mobility section: "...and send and receive messages."

Records Request 5b:

"Documents sufficient to show what kind of a database that messages crossing the in-car messaging system are stored in. (Examples might be Microsoft Access; Oracle; SQL or similar). The file extension of the message logs will suffice."

Response to 5b:

Hexagon Messaging Response – Please see attached.

Hexagon was contacted regarding documentation that describes the process of messaging between MPS and CAD. The file details their response that they have no documentation regarding the application.

Records Request 5d:

“Keyword searches of databases containing messages sent and received over the in-car computers' instant messaging system. For the keywords that requester(s) would like searched, please refer to the list at the bottom of this request. Date range is four months prior to the date of the request until the date of the request. Please provide the requesters evidence that your search was agnostic toward capital and lowercase letters throughout each searched character string.”

*“- For each returned *in-car IM* result, please include the following metadata: unique sender identification; unique recipient identification; date and time of transmission; and document(s) sufficient to show the full name of the officer associated with the unique identification. An example of unique sender/recipient identification would, in the case of a car-to-car instant message, be some kind of username corresponding to an officer, or, if and only if an officer identifier is not extant, an identifier for a particular computer or patrol car.”*

Response to Request 5d:

CPRA W001705-040119 Excel Spreadsheet – Please see attached pdf.

The Excel spreadsheet with the results of the SQL query ran for the request below.

CPRA_W001705-040119 Text File – Please see attached pdf.

This file contains the SQL query ran to meet the requirement to *“provide the requesters evidence that your search was agnostic toward capital and lowercase letters throughout each searched character string”*.

Line 116 in the text file “UPPER(M.MSG_TEXT) LIKE @SKEYWORD” was run to convert all text in the M.MSG_TEXT column to uppercase text to compare the search term in uppercase.

The term “white genocide” (white genocide and White genocide) was listed twice in the keyword list below. Since the query uses the UPPER() function, the term was only searched for once as it is case insensitive.

A list of the variables used is below.

Variables Used

‘@SBEGIN_DATE’: Used to specify the query start date

‘@SEND_DATE’: Used to specify the query end date

‘@SKEYWORD’: Used to search the message text. Each keyword query was run separately by uncommenting the line, running the query then commenting the line and moving on to the next keyword line.

‘@SGAB1’: Used to specify the employee ID returned for the GAB keyword search

‘@SGAB2’: Used to specify the employee ID returned for the GAB keyword search

‘@SKNIGHTS1’: Used to specify the employee ID returned for the KNIGHTS keyword search

‘@SKNIGHTS2’: Used to specify the employee ID returned for the KNIGHTS keyword search

Records Request 6:

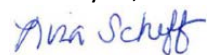
"Documents that provide evidence of any search your jurisdiction that either the department itself or the public body of which it's a part has undertaken, in the five years prior to the date of this request, for racist, race-biased, or white supremacist terminology. This would include any searches undertaken of text messages, emails, or instant messages, for example, those IMs to and from in-car computers. It need not include an internal investigation of any single officer. Rather, we seek documents that show a search of communications to/from groups of officers, ranging up to the entire department. We seek documents that show the date of the search; the rationale or reason for the search; the search terms used; the name of the public official who requested the search; the total number of officers whose communications were searched (and if a subset of a department, the reason for choosing that subset); the type of communications searched; and any summary of the result(s) of any search. If no document exists that can be construed as a summary of search results, we request the full results of any search."

Response to Request 6:

The City Email retention is set at two years pursuant to Cal. Govt. Code 34090, unless it is part of a criminal case, or civil litigation. The City does not have any documents responsive to your request.

The Palo Alto City Clerk's Office has attached some information about FOIA requests – Please see attached pdf files listed as, "GovQA FOIA Agreements" and "GovQA FOIA Agreement Changes"

Thank you,



Lisa Scheff
Public Safety Program Manager/Records
Palo Alto Police Department
Lisa.scheff@cityofpaloalto.org